

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

<b>ROBERT JACKSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. CIV-14-468-KEW</b>
	)	
<b>THE BOARD OF COUNTY</b>	)	<b>Jury Trial Demanded</b>
<b>COMMISSIONERS OF MAYES COUNTY,</b>	)	
<b>SHERIFF MIKE REED, in his Individual</b>	)	
<b>and Official capacities,</b>	)	
	)	
<b>Defendant.</b>	)	

**NOTICE AND PETITION OF REMOVAL**

The Defendants, the Board of County Commissioners of Mayes County and Sheriff Mike Reed, in his Individual and Official Capacities, hereby give notice of its removal of the action currently pending in the District Court of Mayes County, State of Oklahoma, pursuant to 28 U.S.C. § 1441 *et seq.* and Fed. R. Civ. P. 81(c). In support of its Notice and Petition of Removal, Defendant would show the Court as follows:

1. The captioned proceeding was filed in the District Court of Lincoln County, State of Oklahoma, and is styled as *Robert Jackson v. The Board of County Commissioners of Mayes County, et al.*, Case No. CJ-2014-169.
2. This matter was originally filed by the Plaintiff on September 16, 2014. At the time the original Petition was filed by the Plaintiff, the Plaintiff alleged no claims under federal law.

3. On October 14, 2014, the Plaintiff in this action filed an Amended Petition, in which he for the first time alleged claims under federal law, specifically 42 U.S.C. §1983, 42 U.S.C. §1981, and Title VII of the Civil Rights Act of 1964.

4. Defendant received a copy of the applicable Amended Petition, by U.S. Mail in this action on or about October 20, 2014.

5. The United States District Court for the Northern District of Oklahoma has original subject matter jurisdiction of this case pursuant to 28 U.S.C. § 1331. More specifically, Plaintiff alleges that at the time of his employment and separation from employment, his rights under the Title VII and 42 U.S.C. §1981 ADA were violated. Pursuant to 28 U.S.C. §1446 and LcvR 81.2, a copy of the following is attached:

- Exhibit 1 Petition
- Exhibit 2 Summons
- Exhibit 3 Entry of Appearance
- Exhibit 4 Answer to Plaintiff's Petition
- Exhibit 5 Amended Petition
- Exhibit 6 Docket Sheet from Mayes County District Court

WHEREFORE, Defendants, the Board of County Commissioners of Mayes County and Sheriff Mike Reed in his Individual and Official Capacities, respectfully request that this action be removed from the District Court of Mayes County, State of Oklahoma, to the United States District Court for the Norther

District of Oklahoma, and for such other and further relief as the Court deems proper under the circumstances.

Respectfully submitted,

s/ Dustin J. Hopson  
Dustin J. Hopson, OBA No. 19485  
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ATTORNEY FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

This is to certify that on October 24, 2014, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Daniel E. Smolen  
Lauren G. Lambright  
Smolen, Smolen & Roytman, PLLC  
701 South Cincinnati Avenue  
Tulsa, OK 74119

s/ Dustin J. Hopson  
Dustin J. Hopson